

REMARKS

The above Amendments and these Remarks are in reply to the Advisory Action mailed February 6, 2006. With cancellation of Claim 5, Claims 1-4, 6-10, 27-33 and 38 are presented herewith for consideration.

Rejection of Claims 1-3 and 5-10 Under 35 USC §102(e)

Claims 1-3 and 5-10 have been rejected under 35 USC §102(e) as being anticipated by U.S. Patent Application No. US 2003/0069874 to Hertzog et al. ("Hertzog"). Applicants have canceled Claim 5. Applicants reply with respect to the remaining claims as follows.

Claims 1-10

Applicants have amended Claim 1, and Claims 2-9 dependent thereon to recite in part:
obtaining difference information comprising differences between a representation of at least a portion of the media data and a representation of a copy of at least a portion of the media data from a prior point in time;

This feature is nowhere disclosed, taught or otherwise suggested in Hertzog. Hertzog discloses a client services module 26 including a synchronization engine 28. The synchronization engine is a conventional sync engine and no details are provided regarding the mechanism of the synchronization.

By contrast, the present invention discloses a system where synchronization is accomplished by only transmitting difference information in a differencing transaction. As set forth in the application starting at page 25, line 17:

The generic output of the application object is provided to a delta module 550. Delta module 550 is a differencing engine which calculates differences in data between the output of the application object 510 and the copy of the data which is provided in an application object store (AOS) 520....

Hence, during a sync or transfer, the Application Object will, using a mechanism discussed below, extract the data of each application in the device and convert it to a universal data format. The delta module will then generate a difference set by comparing the output of the Application Object and the AOS. This difference information is forwarded to the encryption and compression routines for output to the storage server 550 in the form of a data package.

A synchronization system including differencing information as recited in Claims 1-10 is nowhere disclosed, taught or in any way suggested in the cited reference. Based on the above, it is respectfully submitted that Claims 1-10 are patentable over the cited reference and it is respectfully requested that the rejection of Claims 1-10 on the stated grounds be withdrawn.

Rejection of Claims 4 and 38 Under 35 U.S.C. §103

Claims 4 and 38 were rejected under 35 U.S.C. 103(a) as being unpatentable over Hertzog in view of Official Notice. However, Claims 4 and 38 depend on Claim 1. As discussed above, Claim 1 recites limitations that are nowhere taught or suggested in Hertzog. Namely, Hertzog has no teaching or suggestion of the recited method including difference information. The Official Notice taken by the Examiner adds nothing to the teaching of Hertzog in this regard. Therefore, neither Hertzog or the Office Notice taken by the Examiner, when taken alone or in combination with each other, teach or suggest the invention recited in Claims 4 and 38.

It is therefore respectfully requested that the rejection of Claims 4 and 38 on the stated grounds be withdrawn.

Rejection of Claims 27-32 Under 35 U.S.C. §103

Claims 27-32 were rejected under 35 U.S.C. 103 (a) as being unpatentable over Hertzog in view of Ludwig and Cantin. Applicants respond as follows.

Applicants have amended Claim 27 and Claims 28-32 dependent thereon to recite in part:

a personal information store containing digital media readable by an application program;

... the device engine including an application object for mapping the digital media into a data format not readable by the application program.

This feature is nowhere taught or suggested in the cited references, taken alone or in combination with each other.

The specification explains the meaning of the above language starting at page 24, line 8:

As shown in Figure 5, each device engine 324 includes an application object 510. The application object is specific to each particular software application 810 running on the network-coupled device, and provides a standard interface between the device engine and the balance of the data transmission system of the invention, and the application 810... The job of the application object is to map data from the application into a temporary or "universal" data structure by connecting to the application via any number of standard interfaces to gain access to the applications data. The data structure of the application object puts the data in a generic or "universal data" format which may be used by the device engine components to generate data packages for provision to the storage server.

None of the cited references teach or suggest or suggest the above-described limitations.

It is therefore respectfully requested that the rejection of Claims 27-32 on the stated grounds be withdrawn.

Based on the above amendments and these remarks, reconsideration of Claims 1-4, 6-10, 27-32 and 38 is respectfully requested.

The Examiner's prompt attention to this matter is greatly appreciated. Should further questions remain, the Examiner is invited to contact the undersigned attorney by telephone.

Enclosed is a PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. § 1.136 for extending the time to respond up to and including today, August 2, 2006.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 501826 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

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